

MEMORANDUM

Agenda Item No. 11(A)(21)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: June 5, 2012

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Resolution urging the Florida
Legislature to conduct an
interim study on how laws can
be strengthened related to
false, stolen and counterfeit
identity documents in an effort
to combat human and sex
trafficking

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Jose "Pepe" Diaz.



R. A. Cuevas, Jr.
County Attorney

RAC/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

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SUBJECT: Agenda Item No. 11(A) (21)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

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Approved _____ Mayor

Agenda Item No. 11(A)(21)

Veto _____

6-5-12

Override _____

RESOLUTION NO. _____

RESOLUTION URGING THE FLORIDA LEGISLATURE TO
CONDUCT AN INTERIM STUDY ON HOW LAWS CAN BE
STRENGTHENED RELATED TO FALSE, STOLEN AND
COUNTERFEIT IDENTITY DOCUMENTS IN AN EFFORT TO
COMBAT HUMAN AND SEX TRAFFICKING

WHEREAS, human trafficking is a form of modern-day slavery, in which men, women and children are bought and sold; and

WHEREAS, victims of human trafficking are young children, teenagers, women and men who are subjected to force, fraud or coercion for the purpose of sexual exploitation or forced labor; and

WHEREAS, the U.S. Department of State estimates that between 600,000 and 800,000 people, mostly women and children, are trafficked across national borders annually, with the number of persons trafficked into the U.S. each year estimated to range from 14,500 to 17,500; and

WHEREAS, according to the U.S. Department of Justice, an estimated 200,000 American children are at risk for trafficking into the sex industry each year; and

WHEREAS, human trafficking is the fastest growing criminal industry in the world and, after drug dealing, is tied with arms-dealing as the second largest criminal industry; and

WHEREAS, the movement or transportation of a person across borders is not a necessary component of human trafficking, as human trafficking can happen domestically within one country's borders, or internationally across an international border; and

WHEREAS, many victims of human trafficking are forced to work in prostitution or the sex entertainment industry, but human trafficking also occurs in the form of labor exploitation, such as domestic servitude, restaurant work, janitorial work, sweatshop factory work and migrant agricultural work; and

WHEREAS, Florida is ranked as one of the top three states in the nation for human trafficking cases, along with New York and Texas, according to the Center for the Advancement of Human Rights at Florida State University; and

WHEREAS, during the 2012 session, the Florida Legislature passed HB 7049, now know as Chapter 2012-97, Laws of Florida, which increased the penalties for human and sex trafficking from a maximum of 15 years in prison to 30 years, and also authorized the statewide prosecutor to investigate and prosecute human trafficking cases; and

WHEREAS, false, stolen and counterfeit identity documents are almost always part of a human or sex trafficking operation; and

WHEREAS, traffickers hide the identities of trafficking victims, many of whom are minors, by obtaining false, stolen or counterfeit identity documents for the victims; and

WHEREAS, false, stolen and counterfeit identity documents can include birth certificates, social security cards and passports; and

WHEREAS, the trafficking victims often are forced to use these false, stolen and counterfeit identity documents to obtain valid drivers' licenses and other legitimate forms of identification that then perpetuate the false identification of trafficking victims; and

WHEREAS, current Florida law prohibits the use of another person's identity, the submission of counterfeit identity documents and all other activities intended to obtain a driver's

license by a person who is not eligible for issuance of such a document, sections 322.212, 322.27, 322.32 and 322.33, Florida Statutes; and

WHEREAS, it is generally a third-degree felony to use false identity documents to acquire a Florida drivers license; and

WHEREAS, given the pervasive use of false, stolen and counterfeit identity documents in conjunction with victims of human and sex trafficking, the Florida Legislature should study how laws can be strengthened related to such documents with an eye toward possible legislation,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Urges the Florida Legislature to conduct an interim study on how laws can be strengthened related to false, stolen and counterfeit identity documents in an effort to combat human and sex trafficking.

Section 2. Directs the Clerk of the Board to transmit certified copies of the resolution to the Governor, Attorney General, the Senate President, the House Speaker and the Chair and Members of the Miami-Dade State Legislative Delegation.

Section 3. Directs the County's state lobbyists to advocate for the issue identified in Section 1 above, and authorizes and directs the Office of Intergovernmental Affairs to include this item in the 2012 and 2013 state legislative packages.

The Prime Sponsor of the foregoing resolution is Commissioner Jose "Pepe" Diaz. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman
Audrey M. Edmonson, Vice Chairwoman
Bruno A. Barreiro
Esteban L. Bovo, Jr.
Sally A. Heyman
Jean Monestime
Rebeca Sosa
Xavier L. Suarez
Lynda Bell
Jose "Pepe" Diaz
Barbara J. Jordan
Dennis C. Moss
Sen. Javier D. Souto

The Chairperson thereupon declared the resolution duly passed and adopted this 5th day of June, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

JMM

Jess M. McCarty

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